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10 *Attorneys for Defendants/ Counterclaimants/
11 Third-Party Plaintiffs Joel Zimmerman and
12 William Morris Endeavor Entertainment, LLC*

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 JESSE WAITS, an individual,
Plaintiff,

16 vs.

17 JOEL ZIMMERMAN aka JOEL D.
18 ZIMMERMAN, an individual and DOES 1-10,
Defendants.

19 JOEL ZIMMERMAN, an individual, and
WILLIAM MORRIS ENDEAVOR
20 ENTERTAINMENT, LLC, a Delaware
Limited Liability Company,
21 Counterclaimants,

22 vs.

23 JESSE WAITS, an individual,
Counterdefendant.

24 JOEL ZIMMERMAN, an individual, and
WILLIAM MORRIS ENDEAVOR
25 ENTERTAINMENT, LLC, a Delaware
Limited Liability Company,
26 Third-Party Plaintiffs,

27 vs.

28 DON JOHNSON, an individual,
Third-Party Defendant.

Case No. 2:13-cv-01182-RCJ-CWH

**STIPULATION AND ORDER FOR
EXTENSION OF TIME FOR
COUNTERCLAIMANTS JOEL
ZIMMERMAN AND WILLIAM
MORRIS ENDEAVOR
ENTERTAINMENT, LLC TO FILE AN
AMENDED COUNTERCLAIM**

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1 Plaintiff Jesse Waits (“Plaintiff”), Defendant/Counterclaimant/Third-Party Plaintiff Joel
2 Zimmerman and Counterclaimant/ Third-Party Plaintiff William Morris Endeavor Entertainment,
3 LLC (collectively “Counterclaimants”), (Plaintiff and Counterclaimants are collectively referenced
4 as the “Parties”) hereby stipulate as follows:

5 1. Plaintiff filed his Motion to Dismiss Counterclaims Pursuant to FRCP 12(b)(6)
6 (“Motion”) on July 31, 2013 [Dkt. # 11].

7 2. On September 17, 2013, the Court granted the Motion in part and denied it in part
8 with leave to amend the intentional misrepresentation counterclaim (“Amended Counterclaim”)
9 [Dkt. # 20].

10 3. Recently, the Parties have engaged in settlement discussions, have reached tentative
11 settlement terms and have exchanged a draft settlement agreement.

12 4. In order to afford the Parties additional time to finalize settlement, the Parties have
13 agreed to extend the time for Counterclaimants to file and serve their Amended Counterclaim.
14 Accordingly, Counterclaimants shall have up to and including October 17, 2013 to file and serve
15 their Amended Counterclaim.

16 This is the Parties’ first request for an extension of time with respect to the filing of the
17 Amended Counterclaim. The additional time sought is not for the purpose of delay but rather to

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1 allow the parties to focus their efforts on continued settlement negotiations.

2 Dated: this 26th day of September, 2013.

3 **IT IS SO AGREED AND STIPULATED:**

4 By: /s/ Jennifer K. Hostetler

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By: /s/ Ismail Amin

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10 *Attorneys for Defendants/ Counterclaimants/*
11 *Third-Party Plaintiffs Joel Zimmerman and*
William Morris Endeavor Entertainment, LLC

Attorneys for Plaintiff Jesse Waits

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14 **IT IS SO ORDERED:**

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16 _____
UNITED STATES DISTRICT JUDGE

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18 Dated: _____
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